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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/590,169	Thomas Moelkner	10191/4349

INTERNATIONAL APPLICATION NO.

PCT/EP04/53020

I.A. FILING DATE

PRIORITY DATE

11/19/2004

02/26/2004

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KENYON & KENYON LLP  
 ONE BROADWAY  
 NEW YORK, NY 10004

CONFIRMATION NO. 4069

371 FORMALITIES LETTER



\*OC000000023616386\*

Date Mailed: 05/01/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/18/2006
- English Translation of the IA filed on 08/18/2006
- Copy of the International Search Report filed on 08/18/2006
- Preliminary Amendments filed on 08/18/2006
- Information Disclosure Statements filed on 08/18/2006
- Oath or Declaration filed on 08/18/2006
- Request for Immediate Examination filed on 08/18/2006
- U.S. Basic National Fees filed on 08/18/2006
- Substitute Specification filed on 08/18/2006
- Priority Documents filed on 08/18/2006
- Specification filed on 08/18/2006
- Claims filed on 08/18/2006
- Abstracts filed on 08/18/2006
- Drawings filed on 08/18/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

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#### PART 2 - OFFICE COPY

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10/590,169	PCT/EP04/53020	10191/4349